

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JANUARY 31, 2006  
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:07 a.m. Mayor John Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Melina Castro, Eddie Holguin, Jr., Steve Ortega and Beto O'Rourke. Not Present for the vote: Jose Alexandro Lozano and Presi Ortega, Jr. The invocation was given by Fire Chaplain Ed Sinke, followed by the Pledge of Allegiance to the Flag of the United States of America.

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A moment of silence was observed in memory of Ms. Coretta Scott King.

**MAYOR'S PROCLAMATIONS**

**"K" DAY IN EL PASO**

"K" Day in honor of Cricket Cellular Phone service .

**BLACK HISTORY MONTH**

Mr. Carl Robinson spoke on upcoming events.

**RECOGNITION**

Ms. Joyce Wilson introduced the following City employees recognized in the 2<sup>nd</sup> Quarter.

Mayor Cook commented

1. Capt. Gregory Muncy – 30 yrs.
2. Mr. Angel de la Cruz – 30 yrs.
3. Mr. Francisco Salazar – 25 yrs.
4. Mr. Hector Garcia- 25 yrs.
5. Mr. Jesus Frausto – 25 yrs.
6. Mr. Jose Cardoza – 25 yrs.
7. Mr. Carlos Anchondo – 25 yrs.
8. Mr. Roberto Soto – 25 yrs.
9. Mr. Rodolfo Roman – 25 yrs.

## CALL TO THE PUBLIC – PUBLIC COMMENT

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

1. Mr. Guillermo Glenn spoke on the recent factory explosion. Ms. Joyce Wilson stated that the Fire Department is still reviewing the incident.
2. Ms. Lisa Turner spoke on missed meetings and the 1<sup>st</sup> floor café. Ms. Joyce Wilson stated that they will bring services as quickly as possible.

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lozano and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

NOT PRESENT FOR THE VOTE: Representative Presi Ortega, Jr.

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\*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of January 24, 2006, Corrected Minutes of December 13, 2005 and Special City Council Meeting Minutes of July 27, 2005, January 9, 2006, January 13, 2006 and January 19, 2006.  
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## **\*RESOLUTION**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign an Overhead Electrical Easement which would allow the El Paso Electric Company to provide overhead electrical service to the Environmental Services Delta Citizen Drop Off Site, located within E. R. Tally Survey #7, El Paso, El Paso County, Texas.

### **1<sup>ST</sup> MOTION**

\*Motion made, seconded and unanimously carried to **MOVE TO THE REGULAR AGENDA** the following:

## **RESOLUTION**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign any and all change orders, contracts and amendments to contracts necessary and proper for the prompt completion of the Plaza Theatre Performing Arts Center, the Annex, and Arts Festival Plaza projects in an amount not to exceed the amounts budgeted by City Council and contributed by the El Paso Community Foundation, provided that the City Council will give final approval of the cumulative change orders signed pursuant to this resolution, when such final approval is required by law.

Mayor Cook commented.

The following members of the City staff commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Charlie McNabb, City Attorney

Ms. Lisa Turner, citizen, commented.

## 2<sup>ND</sup> AND FINAL MOTION

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lilly and carried to **APPROVE** the above Resolution.

AYES: Representatives: Lilly, Byrd, Presi Ortega, Jr., Steve Ortega and O'Rourke

NAY: Representative Holguin

NOT PRESENT FOR THE VOTE: Representative Lozano and Castro

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\*Motion made, seconded and unanimously carried to **APPOINT** Russell C. Smith, P.G. CET, CHMM to the Brownfields Redevelopment Board by Mayor John Cook.

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\*Motion made, seconded and unanimously carried to **APPOINT** James (Jim) Welshimer to the Community Development Steering Committee by Mayor John Cook.

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\*Motion made, seconded and unanimously carried to **APPOINT** Daniel L. Barnes to the International Bridge Commission by Representative Melina Castro, District 4.

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\*Motion made, seconded and unanimously carried to **APPOINT** Keith H. Pannell to the Brownfields Redevelopment Board by Representative Presi Ortega, Jr. District 5.

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\*Motion made, seconded and unanimously carried to **APPOINT** Jane Ratcliff to the Greater El Paso Civic, Convention & Tourism Advisory Board by Representative Melina Castro, District 4.

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\*Motion made, seconded and unanimously carried to **APPROVE** the request that the Deputy Director of Financial Services-Purchasing Division be authorized to exercise the City's option to extend the term of the contract for the first year of a two year option from February 12, 2006 through February 11, 2007, pursuant to the provisions of contract 2003-049, Workers Compensation 3<sup>rd</sup> Party Administrator with Ward North America, Inc.

Option No: ONE [OF TWO]  
Account No: 99100255-45122-502200  
Funding Source: Workers Compensation-Benefits Administrator  
Amount: \$967,985.00 Estimated Annually  
Department: OMB/Insurance & Benefits

Mayor Cook and Representative Byrd commented.

Mr. David Almonte, OMB, commented.

Ms. Lisa Turner, citizen, commented.

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\*Motion made, seconded and unanimously carried to approve Change Order No. Two (2) (Scope Change), to Blair-Hall Co., Inc., for Contract No. 2005-062, Citywide Parks Bid Package #3 project, for an increased amount of \$73,963.40. Change Order also adds One Hundred Thirteen (113) days to the contract time.

The purpose of this change order is to resurface the two remaining tennis courts and basketball courts at Cielo Vista Park, per Parks and Recreation Department request. The revised scheduled completion date is February 15, 2006.

Current Contingency: \$ 84,226.00  
Prior Change Orders: \$ <1,037.21>  
Proposed Change Order: \$ 73,963.40  
Remaining Contingency: \$ 10,262.60  
Location: 9300 Cosmos Avenue  
District: 3

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\*Motion made, seconded and unanimously carried to **AWARD** Bid Solicitation No. 2006-070  
Cal Hypo Chlorine 3" Tablets

Award to: D. Gilmore Distributing Company, inc.  
El Paso, Texas  
Item(s): #1  
Amount: \$35,612.50 (estimated annually)  
Department: Parks and Recreation Aquatics  
Funds available: 51010256-503126-01101  
Funding source: Parks and Recreation General Maintenance Fund  
Total award: \$106,837.50 (estimated)  
District (s): All

Parks & Recreation Department and Financial Services-Purchasing Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

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\*Motion made, seconded and unanimously carried to **AWARD** Bid Solicitation No. 2006-071 Elevator and Escalator Maintenance (Airport)

Award to: Thyssen Krupp Elevator  
El Paso, TX  
Item(s): All  
Amount: \$161,739.00 (estimated)  
Department: Aviation  
Funds available: 62620003-503121-40101  
Funding source: Airport Operating Funds  
Total award: \$161,739.00 (estimated)  
District (s): 3

The Department of Aviation and the Financial Services Department-Purchasing Division recommend award as indicated. They are the low, responsive, and responsible bidder meeting specifications.

This is a Thirty-Six (36) month requirements-type Contract for the Department of Aviation.

Vendor offers the City the option of extending the term of the contract for Twenty-Four (24) additional months at the same unit prices, if the option is exercised within two (2) or three (3) years from the date of award of the contract. Vendor does not offer a prompt payment discount.

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\*Motion made, seconded and unanimously carried to **APPROVE** the request of Jennifer Gomez to block off Thunder Ridge between 2000 and 2072 on February 5, 2006 from 10:00 a.m. to 10:00 p.m. for a Super Bowl Block Party. Approximately 150 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (2 speakers). PERMIT # 06-003 [Jennifer Gomez].

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance authorizing the City of El Paso to sell a 0.1825 acre, more or less, parcel of land, being a portion of Lots 17, 18, 19, 20 and 21, Block 65, Franklin Heights Addition (1001-1005 East Yandell), El Paso, El Paso County, Texas to Jose Gardea.
- B. An Ordinance granting a Special Privilege to Kern Place Merchants Association to temporarily close a portion of Cincinnati Avenue between Mesa Street and Stanton Street for a "Mardi Gras Street Festival" on Tuesday, February 28, 2006 and Wednesday, March 1, 2006. (Fee: \$137.50, SP-05028,

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 14, 2006 FOR ITEM A – B**

- C. An Ordinance changing the zoning of Tract 10-A, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential), and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Borderland Road and Westside Drive. Applicants: E.P.V.W. LLC - James Volk, Welzie W. Webb and Juanita G. Webb Revocable Trust; Philippos Philippou, Edward Ecudero; F. James Volk. ZON05-00141.
- D. An Ordinance granting Special Permit No. ZON05-00142, to allow for a Planned Residential Development on Tract 10-A, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Borderland Road and Westside Drive. Applicants: E.P.V.W. LLC - James Volk, Welzie W. Webb and Juanita G. Webb Revocable Trust; Philippos Philippou, Edward Ecudero; F. James Volk. ZON05-00142.

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 21, 2006 FOR ITEM C – D**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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**ITEMS TAKEN TOGETHER:**

- Discussion and action to eliminate pre-Council meetings.
- Discussion and action to cancel standing special meetings for executive session on Mondays.

**1<sup>ST</sup> MOTION**

Motion made by Representative Presi Ortega, Jr., seconded by Steve Ortega and unanimously carried to **SUSPEND THE RULES** and allow Mr. Lisa Turner to speak.

## **2<sup>nd</sup> MOTION**

Motion made by Representative Lozano, seconded by Representative Holguin to delete the weekly agenda review meetings and move the standing special meeting for executive session to Tuesday mornings at 8:00 a.m.

The motion failed.

## **3<sup>RD</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and carried to retain the weekly Agenda review meetings but to change the posting as no action, no deliberation and to move executive items to Tuesdays at 8:00 a.m. and move start time of the Regular City Council Meeting.

AYES: Representatives Lilly, Byrd, Lozano, Presi Ortega, Jr., Steve Ortega and O'Rourke

NAYS: Representative Castro

ABSTAIN: Representative Holguin

Mayor Cook and Representatives Lozano, Castro, Byrd, Holguin, Presi Ortega, Jr., Steve Ortega and O'Rourke commented.

The following members of the City staff commented:

1. Ms Joyce Wilson, City Manager, commented.
2. Mr. Charlie McNabb, City Attorney, commented.

The following members of the public commented:

1. Mr. Ray Gilbert
2. Ms. Lisa Turner

## **ITEMS TAKEN TOGETHER:**

Discussion & Action on establishing the policy direction regarding parkland dedication, and directing the City Manager to prepare an immediate Code amendment to Title 19 (Subdivisions) to reflect this new policy direction as requested by the Planning & Development Services Legislative Review Committee:

- Increase to the parkland dedication requirement (calculation) for single-family, two-family, and multi-family developments;
- Increase to the fees paid in lieu of parkland dedication requirement for single-family, two-family, and multi-family developments; and
- Increase or decrease to the park size minimum allowed to be dedicated as part of residential developments.

That the City Manager be authorized to sign a Development Agreement, and subsequent amendments or extensions, by and between the CITY OF EL PASO, the EL PASO WATER UTILITIES-PUBLIC SERVICE BOARD, RANCHOS REAL IV, LTD., and RIVER OAKS PROPERTIES, LTD., to set forth the rights and responsibilities between the parties to allow for the development of the property located within the City's East Extraterritorial Jurisdiction and containing 2,287.593 acres; in accordance with Subchapter G, Chapter 212 of the Texas Local Government Code, and subject to the affirmative approval and execution of same agreement by the El Paso Water Utilities-Public Service Board.

Mayor Cook and Representatives Lilly, Byrd, Steve Ortega, Lozano, Presi Ortega, Jr., Castro, Holguin and O'Rourke, commented.

The following members of the City staff commented:

1. Ms. Pat Aduato, Deputy City Manager
2. Ms. Joyce Wilson, City Manager
3. Dr. Norman Merrifield, Parks and Recreation

Mr. Jim Carillo, representing from Halff Associates

The following members of the public commented:

1. Mr. Gus Haddad
2. Mr. Charlie Wakeem
3. Mr. Glenn Walker
4. Ms. Lisa Turner
5. Mr. Ric Schecter
6. Mr. Bill Addington
7. Mr. Bobby Bowling
8. Ms. Belinda Luna

#### **1<sup>ST</sup> MOTION**

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega to **SUSPEND THE RULES** and allow Mr. Bobby Bowling to speak.

#### **2<sup>ND</sup> MOTION**

Motion made by Representative Steve Ortega, seconded by Representative Presi Ortega, Jr. to **SUSPEND THE RULES** and allow Ms. Belinda Luna to speak.

#### **3<sup>RD</sup> MOTION**

Motion made by Representative Byrd, seconded by Representative Steve Ortega and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:24 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following under Section 551.071:

- A.** Discussion & Action on establishing the policy direction regarding parkland dedication, and directing the City Manager to prepare an immediate Code amendment to Title 19 (Subdivisions) to reflect this new policy direction as requested by the Planning & Development Services Legislative Review Committee:
- Increase to the parkland dedication requirement (calculation) for single-family, two-family, and multi-family developments;
  - Increase to the fees paid in lieu of parkland dedication requirement for single-family, two-family, and multi-family developments; and

- Increase or decrease to the park size minimum allowed to be dedicated as part of residential developments.

**B.** That the City Manager be authorized to sign a Development Agreement, and subsequent amendments or extensions, by and between the CITY OF EL PASO, the EL PASO WATER UTILITIES-PUBLIC SERVICE BOARD, RANCHOS REAL IV, LTD., and RIVER OAKS PROPERTIES, LTD., to set forth the rights and responsibilities between the parties to allow for the development of the property located within the City's East Extraterritorial Jurisdiction and containing 2,287.593 acres; in accordance with Subchapter G, Chapter 212 of the Texas Local Government Code, and subject to the affirmative approval and execution of same agreement by the El Paso Water Utilities-Public Service Board.

#### **4<sup>TH</sup> MOTION**

Motion made by Representative Steve Ortega, seconded by Representative Lilly and unanimously carried to adjourn the Executive Session at 12:35 p.m. and reconvene the meeting of the City Council, during which time motions were made.

#### **5<sup>TH</sup> MOTION**

Motion made by Representative Lozano, seconded by Representative Byrd and unanimously carried to direct the Chair of Parks LRC and Chair of Development Services LRC to hold a joint LRC meeting to consider the policy regarding parkland dedication.

AYES: Representatives: Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke  
NAYS: None

#### **6<sup>TH</sup> AND FINAL MOTION**

Motion made by Steve Ortega, seconded by Representative Byrd and carried to approve the development agreement with revisions. Amendments read into record by Deputy City Manager Pat Adaudo.

AYES: Representatives Lilly, Byrd, Lozano, Castro, Holguin, Presi Ortega, Jr., Steve Ortega and O'Rourke  
NAYS: None

#### **RESOLUTION**

That the City Council authorizes the attorneys representing the City to file a Motion in Intervention on behalf of the City and a request for hearing in the matter of EL PASO ELECTRIC COMPANY'S PETITION FOR AUTHORITY TO INCREASE FUEL FACTOR AND FOR FUEL SURCHARGE, PUBLIC UTILITY COMMISSION DOCKET NO. 32240, SOAH DOCKET NO. 473-06-1028.

Mr. Norman Gordon, outside counsel, commented.

Motion made by Mayor Pro Tempore, seconded by Representative Presi Ortega, Jr. and unanimously carried to **APPROVE** the above Resolution.

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke  
ABSTAIN Representative Lozano  
NOT PRESENT FOR THE VOTE: Representative Castro

Item:



An Ordinance amending Title 5 (Business Taxes, Licenses, and Regulations), Chapter 5.12 (Amusement Devices) of the El Paso Municipal Code to Amend 5.12.010 (Definitions) to add definitions of Amusement Game Machines and Amusement Redemption Machines.

Representative Lozano commented.

Mr. Charlie McNabb, City Attorney, commented.

State Representative Patrick Haggerty commented.

Motion made by Representative Lozano, seconded by Representative Byrd and unanimously carried to **DELETE** an Ordinance amending Title 5 (Business Taxes, Licenses, and Regulations), Chapter 5.12 (Amusement Devices) of the El Paso Municipal Code to Amend 5.12.010 (Definitions) to add definitions of Amusement Game Machines and Amusement Redemption Machines and that the City Attorney request from the District Attorney, Jaime Esparza, an opinion letter regarding illegal gaming devices similar to the Galveston County District Attorney letter outlining the illegal use and practices that could result in criminal charges and subsequent prosecution.

AYES: Representatives Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Holguin and O'Rourke.  
NAYS: None

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\*Motion made, seconded and unanimously carried to **DELETE** the discussion and action to declare Spartan Construction Services Inc., in default on Bid 2005-254, Teakwood Road & Sequoia Court Street & Drainage Improvements, for failure to execute and deliver the performance and payment bonds. Consequently the contract is hereby terminated. The security deposit on file with the City shall be retained as liquidated damages pursuant to section 9 of the Information for Bidders section of the bid document.

Solicitation No 2005-254, Teakwood Road & Sequoia Court, Street & Drainage Improvements was awarded to Spartan Construction Services, Inc., on October 25, 2005, in the amount of \$535,664.00.

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\*Motion made, seconded and unanimously carried to **DELETE** Solicitation No. 2005-254 Teakwood Road and Sequoia Court, Street and Drainage Improvements

Contractor:	Danny Sander Construction, Inc. El Paso, Texas
Department:	Streets
Funds Available:	71150069-G7130CD0021-07803-508027 71150069-G7130CD0022-07838-508027
Funding Source:	Community Development Grants G7130CD0021 & G7130CD0022
Items:	Base Bid 1 \$493,175.50 Base Bid 2 \$ 38,682.00 Base Bid 3 \$ 41,345.00
Total Award:	\$573,202.50
Estimated Completion Date:	June 2006
District(s):	3

**RECOMMENDATION:**

Discussion and action to award bid for the construction of the Teakwood Road & Sequoia Court, Street & Drainage Improvements, Contract No. 2005-254 to Danny Sander Construction, Inc. The Departments of Engineering and Streets recommend the award of this contract to Danny Sander Construction, Inc. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract in a form approved by the City Attorney's Office.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

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**ORDINANCE 16270**

The City Clerk read an Ordinance entitled: **AN ORDINANCE REPEALING ORDINANCE NUMBER 16156, WHICH CHANGED THE ZONING OF TRACT 2A, BLOCK 1, YSLETA GRANT AND TRACT 3B, BLOCK 56, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH - FARM) TO C-3 (COMMERCIAL) DUE TO AN INCORRECT LEGAL DESCRIPTION.**

Motion duly made by Representative Holguin, seconded by Representative Lozano, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:           Representatives Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke  
NAYS:           None

Whereupon the Mayor ordered that tie vote having been in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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**ORDINANCE 16271**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF 24.566 ACRES OUT OF AND A PART OF TRACT 2A, BLOCK 1, YSLETA GRANT AND TRACT 3B, BLOCK 56, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH - FARM) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE. SUBJECT PROPERTY: LOOP 375 AND NORTH LOOP DRIVE. APPLICANT: BEN L. IVEY LTD. ZON05-00055.**

Motion duly made by Representative Holguin, seconded by Representative Lozano, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:           Representatives: Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke  
NAYS:           None

Whereupon the Mayor ordered that tie vote having been in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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**ORDINANCE 16272**

The City Clerk read an Ordinance entitled: **AN ORDINANCE TERMINATING A SPECIAL PRIVILEGE GRANTED TO CHEVRON U.S.A. PRODUCTS COMPANY BY ORDINANCE NUMBERS 011466 AND 011699; TO CHEVRON PRODUCTS COMPANY BY ORDINANCE NUMBER 015502; AND TO EL PASO REFINING, INC. BY ORDINANCE NUMBERS 010242, 010166 AND 010167 TO ENCROACH ONTO PORTIONS OF PUBLIC RIGHTS-OF-WAY WITHIN TROWBRIDGE DRIVE, TEXACO STREET AND NORTH LOOP DRIVE; AND AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO WESTERN REFINING COMPANY, L.P. TO PERMIT THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF VARIOUS MULTI-PRODUCT PIPELINES AND UTILITY LINES ALONG PORTIONS OF PUBLIC RIGHT-OF-WAY AT TROWBRIDGE DRIVE AND TEXACO ROAD, AND TO ALLOW THE CONSTRUCTION AND ENCROACHMENT OF AN OVERHEAD BRIDGE ACROSS A PORTION OF PUBLIC RIGHT-OF-WAY ALONG TROWBRIDGE DRIVE. (ANNUAL FEE: \$9,790.00.00, SP-05026)**

The following members of the City staff commented:

1. Mr. Rudy Valdez, Chief Urban Planner
2. Mr. Manuel Chavira, Assistant Fire Chief
3. Ms. Cindy Crosby, Assistant City Attorney

The following members of the public commented:

1. Ms. Lisa Turner
2. Mr. Leonard Bloom
3. Mr. Paul Perez

Motion duly made by Representative Lozano, seconded by Representative Presi Ortega, Jr., that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:           Representatives Lilly, Byrd, Lozano, Castro, Presi Ortega, Holguin, Steve Ortega and O'Rourke  
NAYS:           None

Whereupon the Mayor ordered that tie vote having been in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, and unanimously carried to **ADJOURN** this meeting at 1:12 p.m.  
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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk